

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
PECOS DIVISION

UNITED STATES OF AMERICA

vs.

SERGIO MENCHACA PIZARRO
AKA "MENCHACA, JR." AKA "EL
MENCHACA" AKA "EL ROBIN"

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CRIMINAL NO. 4:23-CR-00371

**DEFENDANT SERGIO MENCHACA PIZARRO'S
UNOPPOSED MOTION FOR CONTINUANCE**

TO THE HONORABLE DAVID COUNTS, UNITED STATES DISTRICT JUDGE:

NOW COMES SERGIO MENCHACA PIZARRO, Defendant in the above styled cause of action and hereby files this his Unopposed Motion for Continuance by and through his attorney of record, J. Warren St. John, and will show the court the following:

1. The Defendant would show that the Presentence Investigation Report is due to the Court by December 13, 2024.
2. Defendant's attorney would show that in the matter of *The State of Texas vs. Jason Thornburg, Cause No. 1702735*, in the Criminal District Court Number Three of Tarrant County, Texas, wherein the State of Texas is seeking the death penalty, **Individual Voir Dire** began on September 16, 2024, and concluded at the end of October 2024. **Final Strikes** were made on October 29th and 30th, 2024. **Pretrial hearings** were conducted on October 31, 2024 and November 1, 2024. **Testimony** began on November 7, 2024 and is anticipated to continue through the month of December 2024.
3. Defendant's attorney of record would further show that he has **Vacation Time** scheduled from December 29, 2024 through January 11, 2025.

4. Defendant's attorney of record would further show that due to the above listed Capital Murder, death penalty trial that is on-going, all court appearances for the months of September, October, November and now, December, 2024, have been rescheduled to mid-January and well into February 2025, making those docket days quite full and demanding.

4. Defendant would request that the setting in the instant matter be reset for a minimum of sixty days (60), and that all additional deadlines be rescheduled to accommodate the rescheduled due dates as needed.

5. Defendant would further show that said Motion for Continuance is not sought for delay, but so that justice may be done.

WHEREFORE, PREMISES CONSIDERED, Defendant prays that said Motion be granted in all things, that said case be reset for a minimum of sixty days (60), and that all additional deadlines, such as Sentencing, be rescheduled to accommodate the rescheduled due dates, and that the Defendant be excused from having to appear as currently scheduled

Respectfully submitted,

s/J. Warren St. John
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ATTORNEY FOR DEFENDANT (1)

CERTIFICATE OF CONFERENCE

This is to certify that on November 14, 2024, my office communicated with Mr. Steven R. Spitzer, the OCDETF Chief, El Paso, Texas, in order to determine whether Mr. Spitzer would oppose the granting of Defendant's Motion for Continuance. Mr. Spitzer is UNOPPOSED to the Motion for Continuance.

s/J. Warren St. John
J. WARREN ST. JOHN

ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on December 4, 2024, I electronically filed the foregoing document with the Clerk for the U.S. District Court, Western District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means: Mr. Steven R. Spitzer.

s/J. Warren St. John
J. WARREN ST. JOHN

ATTORNEY FOR DEFENDANT (1)

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
PECOS DIVISION

UNITED STATES OF AMERICA

Plaintiff,

v.

SERGIO MENCHACA PIZARRO,
AKA "MENCHACA, JR." AKA "EL
MENCHACA" AKA "EL ROBIN",

Defendant.

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CRIMINAL NO.: 4:23-CR-00371-DC

ORDER

On this date, came on to be considered Defendant's Unopposed Motion for Continuance, and having considered same, this Court is of the opinion that said motion is meritorious.

IT IS THEREFORE ORDERED that Defendant's Unopposed Motion for Continuance be, and is hereby, GRANTED.

SIGNED and ENTERED this the _____ day of _____ 2024.

DAVID COUNTS
UNITED STATES DISTRICT JUDGE